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NEW YORK, N. Y.

Births—Registration of Those Not Previously Recorded. (Chap. 461, Act Apr. 20, 1914.)

SECTION 1. Section 1241 of the Greater New York charter, as reenacted by chapter 466 of the laws of 1901, and amended by chapter 886 of the laws of 1911, is hereby amended to read as follows:

"SEC. 1241. The births of the children of actual residents of the city of New York, which may have occurred during the temporary absence of the parents of such children from the city of New York, and the births of children which failed to be recorded through the neglect of the physician or other medical attendant present at such birth, may be recorded in the bureau of records of the health department of said city upon the application in such behalf by the parents or guardians of such children. Such application shall be made to the commissioner of health, and shall be accompanied by a certificate of the physician or midwife attending professionally at such birth and personally cognizant thereof, together with the affidavit of at least two citizens, certifying to their knowledge of the facts, and that the physician or midwife making such certificate of birth is a reputable person in good standing in the community in which he or she may reside. Where the physician or midwife, as the case may be, who attended professionally at any such birth is dead or can not be found after due diligence, or where no physician or midwife attended professionally at such birth, the application to record such delayed birth certificate shall, in addition to the affidavits above mentioned, be accompanied by a certificate signed by the father, mother, or guardian upon a form prescribed by the said department of health. Where such physician or midwife is dead, the application must be accompanied by proof of death when such fact is known to the applicant, and, where such physician or midwife can not be found after due diligence, as aforesaid, the application must be accompanied by the affidavit, or affidavits, setting forth in detail the efforts made to locate such physician or midwife.

"No such birth shall be recorded without proof satisfactory to and upon the approval of the commissioner of health of all the facts and circumstances required to be stated in the application and papers mentioned herein. Such power to pass upon and approve such applications may, however, be delegated by the said commissioner of health, in writing, to the registrar of records of the department of health for such period and to such extent as shall be specified in such delegation. No change or alteration shall, at any time, be made in any of the records of the said bureau of records in said city, without proof satisfactory to and upon the approval of the said commissioner of health. The said commissioner of health may, however, delegate, in writing, such power to the registrar of records of the department of health for such period and to such extent as shall be specified in such delegation. Transcripts of any record in said bureau of records may be given, in the discretion of the department of health, to a parent or the next of kin of the person relating to whom the record was filed, or said latter person's duly authorized representative. Such transcripts shall be on such forms as the commissioner of health may prescribe, and for them the usual fees for copies of records may be received. No transcripts, however, of false or fraudulent returns made to the said bureau or of the entries thereof, shall be given; and shall be canceled upon due proof of the facts to the department of health."